

JOURNAL OF THE SENATE

EIGHTY-NINTH SESSION

NINETEENTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Wednesday, February 12, 2014

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Dodie Noordermeer, followed by the Pledge of Allegiance led by Senate page Mitchell Rave.

Roll Call: All members present except Sen. Curd who was excused.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the eighteenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Corey Brown, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 34 and 35 and finds the same correctly enrolled.

Also MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 58 was delivered to his Excellency, the Governor, for his approval at 9:45 a.m., February 12, 2014.

Respectfully submitted,
Corey Brown, Chair

Also MR. PRESIDENT:

The Committee on Local Government respectfully reports that it has had under consideration SB 173 and returns the same with the recommendation that said bill be amended as follows:

173ta

On page 1, between lines 8 and 9 of the printed bill, insert:

"Section 2. If an area is petitioned to be formed as a library district under the provisions of section 1 of this Act and that area contains within its geographical boundaries one or more municipalities which provide and support library services, then the petition shall be signed only by those people living outside of, and the election provided by this Act shall be held only outside of, the boundaries of such municipality or municipalities. However, if the governing body of a municipality adopts a resolution, such municipality may be included in the election and if a majority of both voters in the area outside such municipality and the municipal voters, voting separately, vote to provide library services then such municipal public library services shall cease. The library services for the area, including the municipality, shall be provided by the district created by this Act."

On page 1, line 12, delete "section 5" and insert "section 6".

On page 2, line 9, delete "section 5" and insert "section 6".

On page 4, line 13, delete "section 14" and insert "section 15".

On page 5, line 2, delete "sections 3 to 7" and insert "sections 4 to 8".

1 On page 5, line 19, delete "section 14" and insert "section 15".

2 On page 6, line 4, delete "section 24" and insert "section 25".

3 And that as so amended said bill do pass.

4 Respectfully submitted,
5 Mark Kirkeby, Chair

6 Also MR. PRESIDENT:

7 The Committee on Health and Human Services respectfully reports that it has had under
8 consideration HB 1110 and returns the same with the recommendation that said bill do pass.

9 Also MR. PRESIDENT:

10 The Committee on Health and Human Services respectfully reports that it has had under
11 consideration HB 1092 and returns the same with the recommendation that said bill do pass and
12 be placed on the consent calendar.

13 Also MR. PRESIDENT:

14 The Committee on Health and Human Services respectfully reports that it has had under
15 consideration SB 172 and returns the same with the recommendation that said bill be amended
16 as follows:

17 172fa

18 On page 2, line 11, of the printed bill, after "entity" insert ". The exemption for a dental
19 hygienist employed by a nonprofit entity providing services through written agreement with the
20 Indian Health Service or a tribal entity expires on June 30, 2018".

21 And that as so amended said bill do pass.

22 Also MR. PRESIDENT:

23 The Committee on Health and Human Services respectfully reports that it has had under
24 consideration HB 1094 which was deferred to the 41st Legislative Day.

25 Respectfully submitted,
26 Jean M. Hunhoff, Chair

1 Also MR. PRESIDENT:

2 The Committee on Transportation respectfully reports that it has had under consideration
3 SB 88 and HB 1056, 1059, and 1060 and returns the same with the recommendation that said
4 bills do pass and be placed on the consent calendar.

5 Respectfully submitted,
6 Mike Vehle, Chair

7 Also MR. PRESIDENT:

8 The Committee on Taxation respectfully reports that it has had under consideration
9 HB 1069 and returns the same with the recommendation that said bill do pass.

10 Also MR. PRESIDENT:

11 The Committee on Taxation respectfully reports that it has had under consideration SB 162
12 and returns the same with the recommendation that said bill be amended as follows:

13 162fb

14 On page 1 of the printed bill, delete lines 4 to 15, inclusive, and insert:

15 "Section 1. That § 10-39-68 be amended to read as follows:

16 10-39-68. In addition to the tax imposed in § 10-39-43, there is hereby imposed an
17 additional tax ~~on each ounce of precious metals severed as follows:~~

- 18 ~~—(1)— Four dollars of one dollar per ounce of gold severed during a quarter if the average~~
19 ~~price of the precious metal is eight hundred dollars per ounce or greater;~~
20 ~~—(2)— Three dollars per ounce of gold severed during a quarter if the average price of the~~
21 ~~precious metal is seven hundred dollars per ounce or greater;~~
22 ~~—(3)— Two dollars per ounce of gold severed during a quarter if the average price of the~~
23 ~~precious metal is six hundred dollars per ounce or greater; and~~
24 ~~—(4)— One dollar per ounce of gold severed during a quarter if the average price of the~~
25 ~~precious metal is five hundred dollars per ounce or greater.~~

26 The average price of gold shall be computed by summing the daily London Final price of
27 the precious metal for each business day of the quarter and dividing by the number of business
28 days in the quarter.

29 Section 2. That § 10-39-45.1 be amended to read as follows:

30 10-39-45.1. In addition to any other tax imposed in chapter 10-39, there is imposed a tax of
31 ~~ten~~ eight percent of the net profits from the sale of precious metals severed in this state.".

1 On page 2, delete lines 1 and 2.

2 162fc

3 On the previously adopted amendment (162fb), delete "one dollar" and insert "two dollars".

4 And that as so amended said bill do pass.

5 Also MR. PRESIDENT:

6 The Committee on Taxation respectfully reports that it has had under consideration
7 SB 160, which was reconsidered, which was deferred to the 41st Legislative Day.

8 Respectfully submitted,
9 Ernie Otten, Chair

10 Also MR. PRESIDENT:

11 The Committee on State Affairs respectfully reports that it has had under consideration
12 SB 99 and returns the same with the recommendation that said bill do pass.

13 Also MR. PRESIDENT:

14 The Committee on State Affairs respectfully reports that it has had under consideration
15 HB 1086 which was deferred to the 41st Legislative Day.

16 Respectfully submitted,
17 Larry Rhoden, Chair

18 Sen. Rave moved that SB 99 be referred back to the Committee on State Affairs.

19 Which motion prevailed.

20 **MESSAGES FROM THE HOUSE**

21 MR. PRESIDENT:

22 I have the honor to return herewith SB 34 and 35 which have passed the House without
23 change.

1 Also MR. PRESIDENT:

2 I have the honor to transmit herewith HCR 1014 which has been adopted by the House and
3 your concurrence is respectfully requested.

4 Also MR. PRESIDENT:

5 I have the honor to transmit herewith HB 1107, 1125, 1126, 1152, 1154, 1168, 1200, 1201,
6 and 1212 which have passed the House and your favorable consideration is respectfully
7 requested.

8 Respectfully,
9 Arlene Kvislen, Chief Clerk

10 **MOTIONS AND RESOLUTIONS**

11 Sen. Rave moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
12 Thursday, February 13, the 20th legislative day.

13 Which motion prevailed.

14 HCR 1014: A CONCURRENT RESOLUTION, Demanding the end of federal deficit
15 spending, the repayment of national debt, and the beginning of balanced budgets and sound U.S.
16 fiscal policy.

17 Was read the first time, the President waived the referral to committee, and placed
18 HCR 1014 on the calendar of Thursday, February 13, the 20th legislative day.

19 SCR 3: A CONCURRENT RESOLUTION, Urging the members of the South Dakota
20 Congressional delegation to sponsor and support the Marketplace Fairness Act, or similar
21 legislation that would grant the states authority to collect sales and use tax on remote sales.

22 Was read the second time.

23 Sen. Peters moved that SCR 3 as found on page 289 of the Senate Journal be adopted.

24 The question being on Sen. Peters' motion that SCR 3 be adopted.

25 And the roll being called:

1 Yeas 30, Nays 3, Excused 2, Absent 0

2 Yeas:

3 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
4 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lucas; Maher; Novstrup
5 (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Soholt; Solano; Sutton; Tidemann;
6 Tieszen; Vehle; Welke; White

7 Nays:

8 Lederman; Monroe; Rhoden

9 Excused:

10 Curd; Van Gerpen

11 So the motion having received an affirmative vote of a majority of the members-elect, the
12 President declared the motion carried and SCR 3 was adopted.

13 HCR 1015: A CONCURRENT RESOLUTION, In support of protecting American
14 sovereignty and defending individual second amendment rights from United Nations
15 interference.

16 Was read the second time.

17 Sen. Monroe moved that the Senate do concur in HCR 1015 as found on page 313 of the
18 House Journal.

19 The question being on Sen. Monroe's motion that HCR 1015 be concurred in.

20 And the roll being called:

21 Yeas 30, Nays 4, Excused 1, Absent 0

22 Yeas:

23 Begalka; Brown; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Jones
24 (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Maher; Monroe; Novstrup (Al); Omdahl;
25 Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Van
26 Gerpen; Vehle; Welke; White

27 Nays:

28 Bradford; Buhl O'Donnell; Lucas; Tieszen

29 Excused:

30 Curd

31 So the motion having received an affirmative vote of a majority of the members-elect, the
32 President declared the motion carried and HCR 1015 was concurred in.

1 **CONSIDERATION OF EXECUTIVE APPOINTMENT**

2 The Senate proceeded to the consideration of the executive reappointment of Kelly J.
3 Duncan of Clay County, Vermillion, South Dakota, to the S.D. Board of Education.

4 The question being "Does the Senate advise and consent to the executive reappointment
5 of Kelly J. Duncan pursuant to the executive message as found on page 192 of the Senate
6 Journal?"

7 And the roll being called:

8 Yeas 31, Nays 3, Excused 1, Absent 0

9 Yeas:

10 Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff
11 (Jean); Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
12 Novstrup (Al); Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton;
13 Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14 Nays:

15 Begalka; Jensen; Omdahl

16 Excused:

17 Curd

18 So the question having received an affirmative vote of a majority of the members-elect, the
19 President declared the reappointment confirmed.

20 **CONSIDERATION OF REPORTS OF COMMITTEES**

21 Sen. Rave moved that the reports of the Standing Committees on

22 Judiciary on SB 85 as found on page 283 of the Senate Journal; also

23 Judiciary on SB 143 as found on page 283 of the Senate Journal; also

24

25 Agriculture and Natural Resources on SB 46 as found on page 284 of the Senate Journal;
26 also

27 Agriculture and Natural Resources on SB 104 as found on page 284 of the Senate Journal;
28 also

29 Commerce and Energy on SB 114 as found on page 286 of the Senate Journal be adopted.

30 Which motion prevailed.

1 Sen. Brown moved that in accordance with JR 6F-6, SB 114 be placed on the calendar of
2 Tuesday, February 18, the 21st legislative day.

3 Sen. Rhoden moved as a substitute motion that SB 114 be referred back to the Committee
4 on Commerce and Energy.

5 Which motion prevailed.

6 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

7 HB 1107: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
8 provisions regarding restraint of trade.

9 Was read the first time and referred to the Committee on Commerce and Energy.

10 HB 1125: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
11 provisions regarding judicial remedies.

12 Was read the first time and referred to the Committee on Judiciary.

13 HB 1126: FOR AN ACT ENTITLED, An Act to revise the persons authorized to
14 countersign school board payments.

15 Was read the first time and referred to the Committee on Education.

16 HB 1152: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
17 registration of limited partnerships.

18 Was read the first time and referred to the Committee on Commerce and Energy.

19 HB 1154: FOR AN ACT ENTITLED, An Act to authorize the commissioner of school and
20 public lands to grant certain surface and subsurface easements to provide access to oil, gas,
21 minerals, and geothermal resources.

22 Was read the first time and referred to the Committee on Commerce and Energy.

23 HB 1168: FOR AN ACT ENTITLED, An Act to provide for additional safety measures
24 on amusement rides and to provide a penalty for failure to properly insure an amusement ride
25 or device.

1 Was read the first time and referred to the Committee on Commerce and Energy.

2 HB 1200: FOR AN ACT ENTITLED, An Act to revise certain bank franchise tax
3 provisions regarding net income and net operating losses.

4 Was read the first time and referred to the Committee on State Affairs.

5 HB 1201: FOR AN ACT ENTITLED, An Act to revise the bank franchise tax
6 apportionment of income provisions.

7 Was read the first time and referred to the Committee on State Affairs.

8 HB 1212: FOR AN ACT ENTITLED, An Act to provide for fair and open competition in
9 certain governmental contracts, to prohibit the inclusion of certain terms in governmental
10 contracts and documents, and to establish a procedure to grant certain exemptions after notice
11 and a public hearing.

12 Was read the first time and referred to the Committee on Local Government.

13 The following bill was read on January 29, and today the President Pro tempore assigned
14 this bill to committee.

15 SB 118 was referred to the Committee on Judiciary.

16 The following bill was read on February 4, and today the President Pro tempore assigned
17 this bill to committee.

18 SB 181 was referred to the Committee on State Affairs.

19 **SECOND READING OF CONSENT CALENDAR ITEMS**

20 SB 182: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to dual
21 education credit.

22 Was read the second time.

23 The question being "Shall SB 182 pass?"

24 And the roll being called:

25 Yeas 33, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
3 Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
4 Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;
5 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 Excused:

7 Curd; Jones (Tom)

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed and the title was agreed to.

10 HB 1048: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding
11 property and casualty insurance.

12 Was read the second time.

13 The question being "Shall HB 1048 pass?"

14 And the roll being called:

15 Yeas 33, Nays 0, Excused 2, Absent 0

16 Yeas:

17 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
18 Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
19 Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;
20 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

21 Excused:

22 Curd; Jones (Tom)

23 So the bill having received an affirmative vote of a majority of the members-elect, the
24 President declared the bill passed and the title was agreed to.

25 HB 1053: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
26 regulation of insurance rating organizations.

27 Was read the second time.

28 The question being "Shall HB 1053 pass as amended?"

29 And the roll being called:

30 Yeas 33, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
3 Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
4 Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;
5 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 Excused:

7 Curd; Jones (Tom)

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed and the title was agreed to.

10 HB 1080: FOR AN ACT ENTITLED, An Act to clarify that emergency personnel driving
11 records are not to include motor vehicle accidents resulting while engaged in the performance
12 of their official duties.

13 Was read the second time.

14 The question being "Shall HB 1080 pass?"

15 And the roll being called:

16 Yeas 33, Nays 0, Excused 2, Absent 0

17 Yeas:

18 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
19 Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
20 Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;
21 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

22 Excused:

23 Curd; Jones (Tom)

24 So the bill having received an affirmative vote of a majority of the members-elect, the
25 President declared the bill passed and the title was agreed to.

26 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

27 Sen. Rave moved that SB 116 be deferred to Thursday, February 13, the 20th legislative
28 day.

29 Which motion prevailed.

SB 150: FOR AN ACT ENTITLED, An Act to allow use of supraglottic airway devices by emergency medical technicians, and to declare an emergency.

Was read the second time.

The question being "Shall SB 150 pass?"

And the roll being called:

Yeas 33, Nays 0, Excused 2, Absent 0

Yeas:

Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

Excused:

Curd; Jones (Tom)

So the bill having received an affirmative vote of a two-thirds majority of the members-elect, the President declared the bill passed and the title was agreed to.

SB 142: FOR AN ACT ENTITLED, An Act to increase legislative salaries subject to certain conditions and restrictions.

Was read the second time.

The question being "Shall SB 142 pass?"

And the roll being called:

Yeas 18, Nays 15, Excused 2, Absent 0

Yeas:

Begalka; Bradford; Buhl O'Donnell; Frerichs; Heineman (Phyllis); Holien; Lederman; Lucas; Maher; Novstrup (Al); Omdahl; Peters; Rave; Soholt; Sutton; Tieszen; Vehle; Welke

Nays:

Brown; Ewing; Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Monroe; Otten (Ernie); Rampelberg; Rhoden; Solano; Tidemann; Van Gerpen; White

Excused:

Curd; Jones (Tom)

So the bill not having received an affirmative vote of a two-thirds majority of the members-elect, the President declared the bill lost.

1 SB 169: FOR AN ACT ENTITLED, An Act to provide for access to and use of public
2 waters on public and private property and to protect private property rights for the citizens of
3 South Dakota.

4 Was read the second time.

5 169th

6 Sen. Rhoden moved that SB 169 be amended as follows:

7 On page 9, between lines 23 and 24 of the printed bill, insert:

8 "Section 22. For any private property that is inundated by the waters of a nonmeandered
9 lake that is open to public access, the Department of Game, Fish and Parks shall compensate
10 the owner of the property for each such inundated acre in an amount equal to the average
11 amount paid per acre during the previous calendar year for land in the county that was included
12 in the walk-in area program.".

13 Which motion lost.

14 169tb

15 Sen. Frerichs moved that SB 169 be amended as follows:

16 On page 6, line 17, of the printed bill, after "use" insert ", unless at least one point of public
17 access is still maintained for that body of public water or tract of public land".

18 Sen. Buhl O'Donnell requested that Joint Rule 5-17 be invoked on SB 169.

19 Which request was supported and SB 169 with Sen. Frerichs' pending motion to amend
20 was deferred until Tuesday, February 18, the 21st legislative day.

21 SB 39: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
22 regulation of certain open containers of alcoholic beverages.

23 Was read the second time.

24 The question being "Shall SB 39 pass?"

25 And the roll being called:

26 Yeas 33, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
3 Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
4 Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;
5 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 Excused:

7 Curd; Jones (Tom)

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed and the title was agreed to.

10 SB 125: FOR AN ACT ENTITLED, An Act to prohibit registered sex offenders from
11 loitering in certain areas.

12 Was read the second time.

13 The question being "Shall SB 125 pass?"

14 And the roll being called:

15 Yeas 31, Nays 1, Excused 3, Absent 0

16 Yeas:

17 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
18 Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Krebs; Lederman; Lucas; Monroe; Novstrup
19 (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton;
20 Tidemann; Tieszen; Vehle; Welke; White

21 Nays:

22 Maher

23 Excused:

24 Curd; Jones (Tom); Van Gerpen

25 So the bill having received an affirmative vote of a majority of the members-elect, the
26 President declared the bill passed and the title was agreed to.

27 SB 154: FOR AN ACT ENTITLED, An Act to establish the Jolene's Law Task Force to
28 study the impact of sexual abuse of children in this state and to make recommendations to the
29 Legislature on policies to effectively address the issue.

30 Was read the second time.

1 The question being "Shall SB 154 pass?"

2 And the roll being called:

3 Yeas 34, Nays 0, Excused 1, Absent 0

4 Yeas:

5 Begalka; Bradford; Brown; Buhl O'Donnell; Ewing; Frerichs; Heineman (Phyllis); Holien;
6 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;
7 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
8 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

9 Excused:

10 Curd

11 So the bill having received an affirmative vote of a majority of the members-elect, the
12 President declared the bill passed and the title was agreed to.

13 Sen. Rave moved that HB 1061, 1029, 1012, 1015, 1045, 1058, 1079, and 1014 be deferred
14 to Thursday, February 13, the 20th legislative day.

15 Which motion prevailed.

16 **SIGNING OF BILLS**

17 The President publicly read the title to

18 SB 34: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
19 applications for absentee ballot and to declare an emergency.

20 SB 35: FOR AN ACT ENTITLED, An Act to revise the conditions for which certain
21 elections may be delayed for an emergency situation and to declare an emergency.

22 HB 1009: FOR AN ACT ENTITLED, An Act to repeal the creation of the commemorative
23 medallion fund.

24 HB 1010: FOR AN ACT ENTITLED, An Act to repeal the tree nursery reserve fund.

25 And signed the same in the presence of the Senate.

1

COMMEMORATIONS

2 SC 18 Introduced by: Senators Rave, Begalka, Brown, Ewing, Heineman (Phyllis), Holien,
3 Hunhoff (Jean), Jensen, Jones (Chuck), Kirkeby, Krebs, Lederman, Maher, Monroe, Novstrup
4 (Al), Omdahl, Otten (Ernie), Peters, Rampelberg, Rhoden, Soholt, Solano, Tidemann, Tieszen,
5 Vehle, and White and Representatives Conzet, Bartling, Cammack, Carson, Cronin, Ecklund,
6 Erickson, Gibson, Gosch, Hoffman, Hunhoff (Bernie), Johns, Kaiser, Langer, Lust, Magstadt,
7 Munsterman, Nelson, Olson (Betty), Parsley, Romkema, Rounds, Schaefer, Sly, Solum, Steele,
8 Stevens, and Westra

9 A LEGISLATIVE COMMEMORATION, Honoring former Senator Stan Adelstein for his
10 service to the State of South Dakota.

11 WHEREAS, Stanford (Stan) M. Adelstein was born in Sioux City, Iowa, and raised in Rapid
12 City, South Dakota, and served in the Legislature for twelve years, four years in the House of
13 Representatives and eight years in the Senate; and

14 WHEREAS, Senator Adelstein has a lifetime of dedicated service at the federal, state, and
15 local levels of government, having served as a Lieutenant in the U.S. Army Corps of Engineers
16 and as a presidential appointment to the National Advisory Council on Economic Opportunity,
17 and has been a member of many state and national boards of directors; and

18 WHEREAS, Senator Adelstein has worked diligently in the engineering field, having
19 obtained a B.S. in both Civil Engineering and Business Administration from the University of
20 Colorado and is currently working with the Northwestern Engineering Company, serving as
21 chairman and CEO; and

22 WHEREAS, Senator Adelstein has received numerous awards for his service; including the
23 South Dakota Philanthropist of the Year from the Governor's Office, and the Association of the
24 U.S. Army Award for Distinguished Service, and has been inducted into the South Dakota Hall
25 of Fame:

26 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the
27 State of South Dakota, by the Eighty-Ninth Legislature of the State of South Dakota, that
28 Senator Adelstein be congratulated and honored for his dedication and services to the State of
29 South Dakota.

30 SC 19 Introduced by: Senators Maher, Brown, Ewing, Heineman (Phyllis), Holien, Jones
31 (Chuck), Kirkeby, Monroe, Novstrup (Al), Omdahl, Otten (Ernie), Peters, Rampelberg, Rave,
32 Rhoden, Soholt, Solano, Tidemann, Van Gerpen, Vehle, and White and Representatives
33 Schrempp and Olson (Betty)

34 A LEGISLATIVE COMMEMORATION, Commending and honoring LuAnn Lindskov, 2014
35 South Dakota Teacher of the Year.

1 WHEREAS, no one person has a greater impact on the education of a child than the teacher
2 who establishes the primary learning and instructional environment; and

3 WHEREAS, LuAnn Lindskov currently teaches math and science at Timber Lake High
4 School in Timber Lake, South Dakota; and

5 WHEREAS, LuAnn Lindskov has taught for more than twenty-eight years; and

6 WHEREAS, LuAnn Lindskov is a member of Black Hills State University's QuarkNet, a
7 group of South Dakota science teachers who study subatomic physics and network their students
8 with physicists and students from around the world to collect and share cosmic radiation data;
9 and

10 WHEREAS, LuAnn Lindskov is a National Board Certified Teacher:

11 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-Ninth Legislature
12 of the State of South Dakota, the House of Representatives concurring therein, that LuAnn
13 Lindskov be congratulated on her achievements and dedication to South Dakota students.

14 Sen. Monroe moved that the Senate do now adjourn, which motion prevailed and at
15 4:08 p.m. the Senate adjourned.

16 Jeannette Schipper, Secretary